

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

HEADWATER RESEARCH LLC,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD.,
SAMSUNG ELECTRONICS AMERICA,
INC.,

Defendants.

Case No. 2:22-cv-00422-JRG-RSP

JURY DEMANDED

**DECLARATION OF MARC FENSTER IN SUPPORT OF PLAINTIFF HEADWATER
RESEARCH LLC'S OPPOSITION TO DEFENDANTS' SUPPLEMENTAL MOTION
TO STRIKE CERTAIN OPINIONS OFFERED BY DR. RICHARD WESEL**

1. I, Marc Fenster, declare as follows.
2. I am counsel for Headwater Research LLC (“Headwater”) in the above-captioned action. I provide this declaration in support of Headwater’s Opposition to Defendants’ Supplemental Motion to Strike Certain Opinions Offered by Dr. Richard Wesel. I have personal knowledge of the facts set forth herein, and if called upon to testify, could and would testify competently thereto.
3. Attached as Exhibit A is a true and correct copy of an email from Headwater counsel to Samsung counsel regarding protective order subscriptions, dated February 22, 2024.
4. Attached as Exhibit B is a true and correct copy of a document production bearing Bates number HW_00098513.
5. Attached as Exhibit C is a true and correct copy of a document production bearing Bates number HW_00098663.
6. Attached as Exhibit D is a true and correct copy of a document production bearing Bates number HW_00099308.
7. Attached as Exhibit E is a true and correct copy of a document production bearing Bates number HW_00099365.
8. Attached as Exhibit F is a true and correct copy of a motion to strike expert declaration in *Rosco, Inc. v. Mirror Lite Company*, No. 1:96-cv-05658, D.I. 293, dated March 9, 2007.
9. Attached as Exhibit G is a true and correct copy of a document production bearing Bates number HW_00103544.
10. Attached as Exhibit H is a true and correct copy of a document production bearing Bates number SAM-HW00289329.

11. Attached as Exhibit I is a true and correct copy of a document production bearing Bates number SAM-HW00416383.

12. Attached as Exhibit J is a true and correct copy of a document production bearing Bates number SAM-HW00689792.

13. Attached as Exhibit K is a true and correct copy of a document production bearing Bates number UXCONNECT0000022.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 21, 2024 at Los Angeles, California.

By: /s/ Marc Fenster
Marc Fenster

CERTIFICATE OF SERVICE

I hereby certify that on June 21, 2024, all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF System per Local Rule CV-5(a)(3).

/s/ Marc Fenster

Marc Fenster